

PENDING CLAIMS

1. (Currently Amended) A method of improving receiver performance by avoiding bad pilots, the method comprising:

generating a pilot mask for immediate data communication use in the receiver based solely on analysis at the receiver, wherein the pilot mask includes a set of flags, the set of flags associated with certain sub-channels,

wherein each flag in the set of flags determines whether its associated sub-channel is usable for pilot tracking, wherein at least one flag indicates its associated sub-channel is not usable for pilot tracking, thereby allowing the receiver to avoid a bad pilot.

2. (Original) The method of Claim 1, wherein if a spur will coincide with a sub-channel, then the pilot mask will not allow that sub-channel to be used for pilot tracking.

3. (Original) The method of Claim 1, wherein if a spur affects a sub-channel, then the pilot mask will not allow that sub-channel to be used for pilot tracking.

4. (Original) The method of Claim 1, wherein the set of flags includes 52 flags associated with 52 sub-channels.

5. (Original) The method of Claim 1, wherein the pilot mask is usable for any data rate.

6. (Currently Amended) A pilot mask for improving receiver performance by avoiding bad pilots, the pilot mask comprising:

a set of flags generated in the receiver for immediate data communication use based solely on analysis at the receiver, the

set of flags associated with certain sub-channels, wherein each flag in the set of flags determines whether its associated sub-channel is usable for pilot tracking.

7-24. (Cancelled)